

McGREGOR W. SCOTT
United States Attorney
PHILLIP A. TALBERT
Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, California 95814
Telephone: (916) 554-2789

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	CR. No. 2:04-cr-0388-MCE
Plaintiff,)	
)	STIPULATION TO SET NEW MOTIONS
v.)	SCHEDULE AND TO EXCLUDE TIME;
)	ORDER
CASSANDRA MUNIZ, et al.)	
)	
Defendants.)	

It is hereby stipulated between the parties, Plaintiff United States of America, by and through United States Attorney McGregor W. Scott and Assistant United States Attorney Phillip A. Talbert, Defendant Cassandra Muniz, through her attorney Candace Fry, Defendant Tyson Trotter, through his attorney Barry Voss, Defendant Rogelio Zuniga, through his attorney Frank DiGiacomo, Defendant Caidez Saul Garcia, through his attorney Walter Urban, Defendant Juan Pablo Velazquez, through his attorney Victor Haltom, Defendant Pancho Aceka, through his attorney Daniel Hustwit, Defendant Brady Morse, through his attorney Krista Hart, and Defendant Juan Ayon Sandoval, through his attorney Kirt Hopson, as follows:

On June 13, 2006, the Court set a briefing schedule in this matter and a motions hearing date of October 3, 2006, at 8:30 a.m.;

///

1 Earlier, on May 16, 2006, Defendant Cassandra Muniz filed a
2 joinder in six motions previously filed by co-Defendant Angel Gomez,
3 who later entered a guilty plea in the case;

4 The parties are involved in negotiations to attempt to resolve
5 this case;

6 The defendants need additional time to research and prepare
7 possible additional pretrial motions and supporting memoranda, which
8 need will be obviated for any defendant whose case is resolved;

9 The parties request a new briefing schedule and hearing date be
10 set as follows: motions to be filed by November 7, 2006;
11 government's oppositions to be filed by December 12, 2006;
12 defendants' optional reply briefs to be filed by December 19, 2006;
13 and non-evidentiary hearing on the motions set for January 9, 2007,
14 at 8:30 a.m.; and

15 The parties request that time be excluded until the date of
16 hearing for effective preparation of counsel, both with respect to
17 the motions and the case, and due to the case's complexity, pursuant
18 to Local Codes T4 and T2, and 18 U.S.C. §3161(h)(8)(B)(iv) and (ii).

19
20 Dated: September 22, 2006

/s/Candace Fry
CANDACE FRY
Attorney for Defendant
CASSANDRA MUNIZ
By PAT per email authorization

21
22
23 Dated: September 22, 2006

/s/Barry Voss
BARRY VOSS
Attorney for Defendant
TYSON TROTTER
By PAT per telephone authorization

24
25
26 Dated: September 22, 2006

/s/Frank DiGiacomo
FRANK DIGIACOMO
Attorney for Defendant
ROGELIO ZUNIGA
By PAT per telephone authorization

1 Dated: September 22, 2006

/s/Walter Urban
WALTER URBAN
Attorney for Defendant
CAIDEZ SAUL GARCIA
By PAT per telephone authorization

4 Dated: September 22, 2006

/s/Victor Haltom
VICTOR HALTOM
Attorney for Defendant
JUAN PABLO VELAZQUEZ
By PAT per email authorization

7 Dated: September 22, 2006

/s/Daniel Hustwit
DANIEL HUSTWIT
Attorney for Defendant
PANCHO ACEKA
By PAT per telephone authorization

10 Dated: September 22, 2006

/s/Krista Hart
KRISTA HART
Attorney for Defendant
BRADY MORSE
By PAT per telephone authorization

13 Dated: September 22, 2006

/s/Kirt Hopson
KIRT HOPSON
Attorney for Defendant
JUAN AYON SANDOVAL
By PAT per telephone authorization

18 Dated: September 22, 2006

17
McGREGOR W. SCOTT
United States Attorney

/s/Phillip A. Talbert
PHILLIP A. TALBERT
Assistant U.S. Attorney
Attorney for Plaintiff

ORDER

GOOD CAUSE APPEARING, the previously set motions schedule and hearing date of October 3, 2006, are vacated, and a new hearing date of January 9, 2007, at 8:30 a.m. is set with the parties. The motions briefing schedule is as follows: motions to be filed by November 7, 2006; government's oppositions to be filed by December 12, 2006; and defendants' optional reply briefs to be filed by December 19, 2006. Time will be excluded from the date of this Order until January 9, 2007, for effective attorney preparation and complexity under both Local Codes T4 and T2 and 18 U.S.C. §3161(h)(8)(A) and (B)(iv) and (ii).

Dated: September 28, 2006

A handwritten signature in blue ink, appearing to read "Morrison C. England, Jr.", is written over a horizontal line.

MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE